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THE GEO GROUP, INC., CAMPOS, and DIAZ

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

OMAR ARNOLDO RIVERA  
MARTINEZ; ISAAC ANTONIO  
LOPEZ CASTILLO; JOSUE  
VLADIMIR CORTEZ DIAZ; JOSUE  
MATEO LEMUS CAMPOS;  
MARVIN JOSUE GRANDE  
RODRIGUEZ; ALEXANDER  
ANTONIO BURGOS MEJIA; LUIS  
PENÄ GARCIA; JULIO CESAR  
BARAHONA CORNEJO, as  
individuals,

Plaintiffs,

v.

THE GEO GROUP, Inc., a Florida  
corporation; the CITY OF  
ADELANTO, a municipal entity; GEO  
LIEUTENANT DIAZ, sued in her  
individual capacity; GEO  
SERGEANT CAMPOS, sued in his  
individual capacity,

Defendants.

Case No. 5:18-cv-01125-SP

**DEFENDANTS' PROPOSED VOIR  
DIRE QUESTIONS**

Pretrial Conference

Date: January 21, 2020

Time: 10:00 a.m.

Trial date: February 3, 2020

Time: 9:00 a.m.

Magistrate

Judge: Honorable Sheri Pym

Defendants THE GEO GROUP, INC., CAMPOS, and DIAZ hereby  
submit the following proposed voir dire questions, to be asked in addition to the  
standard juror questionnaire.

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1           1.     In the trial of this case, the parties are entitled to have a fair, unbiased,  
2 and unprejudiced jury. If there is any reason why any of you might be biased or  
3 prejudiced in any way, you must disclose such reason when you are asked to do so.  
4 It is your duty to make this disclosure now.

5           2.     Plaintiffs have the opportunity to present their evidence first, and may  
6 call Defendants and other defense witnesses to the witness stand during the  
7 presentation of their case. Only after Plaintiffs have presented their case will  
8 Defendants have an opportunity to present their side of the case. Will you agree to  
9 keep an open mind and make no decisions about the evidence until after all the  
10 evidence has been presented by both sides and the judge has instructed you  
11 regarding the law in this case?

12           3.     Do you have any belief or feeling toward any of the parties, attorneys,  
13 or witnesses that might be regarded as a bias or prejudice for or against any of  
14 them?

15           4.     Have any of you served as a juror or witness in a case involving any of  
16 the parties, attorneys, or witnesses?

17           5.     Have any of you ever been the plaintiff or the defendant in a civil suit?  
18 If so, what was the nature of the suit, what was your capacity, in what court, and  
19 when? Were you satisfied with the outcome? If not, why not?

20           6.     Have any of you heard of or have any knowledge of the facts or  
21 events in this case, apart from what the court has informed you today?

22           7.     This lawsuit is brought by 8 individuals who were detained by  
23 Immigrations and Customs Enforcement (ICE), and housed in a facility operated by  
24 The GEO Group, Inc. Do any of you have strong feelings about private prison  
25 corporations, that would affect your ability to be a fair juror in this case?

26           8.     Are any of you familiar with any private prisons that house detainees  
27 for the U.S. Immigrations and Customs Enforcement (ICE) in general, from  
28 personal knowledge, television reports, newspaper articles, or any other sources?

1 a) Are you familiar with The GEO Group?

2 *NOTE: If any juror does have familiarity with GEO, Defendant would*  
3 *request that further examination of the person be held out of the presence of the*  
4 *others and the following additional questions be asked:*

5 b) What is the substance of the information you have read or heard?

6 c) Have you had any personal experiences, or do you have any personal  
7 knowledge, about The GEO Group?

8 d) Have you formed any opinions about this case or The GEO Group  
9 based upon the information that you have received?

10 e) Will anything you experienced, read or saw affect your ability to serve  
11 as a fair and impartial juror in this case?

12 9. Does the fact that the Plaintiffs are not necessarily U.S. Citizens affect  
13 your ability to be fair and impartial in this matter? The status of their citizenship is  
14 not an issue in this case.

15 10. Do you believe that non-citizens should be able to bring a lawsuit?

16 11. Are you now or have any of you ever been associated with any group  
17 or organization that is concerned with immigration policies, the treatment of  
18 immigrant detainees, or the reform or elimination of private prisons in California or  
19 elsewhere?

20 If so, have you formed any opinions based upon this experience? Would that  
21 experience affect your ability to serve as a fair and impartial juror?

22 12. Do any of you have any knowledge or entertain any attitudes or  
23 opinions about the operation of private prisons and the treatment of immigrant  
24 detainees in California or elsewhere in the United States? If so, what is the basis of  
25 your knowledge? Would your knowledge, attitudes, or opinions affect your ability  
26 to serve as a fair and impartial juror?

27 13. Have you or any member of your immediate family or close friend  
28 ever been detained by ICE?

1 a.) Please describe your experience with law enforcement throughout the  
2 process.

3 b.) Did you have any interaction with private custody employees?

4 c.) Would that experience affect your ability to serve as a fair and  
5 impartial juror?

6 14. Have you, any relative, friend, or neighbor ever been housed in a  
7 private prison or detention facility operated by The GEO Group? If so, would that  
8 fact affect your ability to serve as a fair and impartial juror?

9 15. Have you or any friend or relative ever visited an ICE detention  
10 facility? Under what circumstances? Would that fact affect your ability to serve as  
11 a fair and impartial juror?

12 16. Have any of you read or seen news stories about children being  
13 separated from their parents at the border? Do you believe that is a policy  
14 implemented by the U.S. (via President Trump), or any private prison companies?  
15 This case does not involve any issues with children.

16 Would these news stories affect your ability to be impartial and judge this  
17 case solely on the evidence presented to you in this courtroom?

18 17. Would the fact that the Defendants and most of the defense witnesses  
19 are custody officers working at an ICE detention facility affect your ability to serve  
20 as a fair and impartial juror?

21 18. Would the fact that Defendants are represented by attorneys affect  
22 your ability to serve as a fair and impartial juror? What about the fact that Plaintiffs  
23 are represented by attorneys?

24 19. What is your attitude about the honesty or dishonesty of detention  
25 officers?

26 20. Would you believe a detention officer's testimony any more than  
27 another witness solely because of his or her job? Asked another way, would you  
28 disbelieve a detention officer's testimony any more than any other witness solely

1 because of his or her job?

2 21. Would the fact that Defendants Diaz and Campos were employees of  
3 The GEO Group affect your ability to serve as a fair and impartial juror? Would  
4 you give the same attention and consideration to testimony of employees of The  
5 GEO Group as you would give to any other witness?

6 22. Have you, any relative, friend, or neighbor ever been an employee of a  
7 detention facility, jail or prison either in California or elsewhere? If so, would that  
8 affect your ability to serve as a fair and impartial juror?

9 23. Have you, any relative, friend, or neighbor ever been an employee of  
10 any law enforcement agency either in California or elsewhere? If so, would that  
11 affect your ability to serve as a fair and impartial juror?

12 24. Have any of you, any member of your family, or close friend had any  
13 special training in law, criminal science, or corrections? If so, please describe that  
14 training.

15 Would that training affect your ability to serve as a fair and impartial juror?

16 25. There may be some basic medical evidence presented in this case.  
17 Have you or any member of your family or close friends had any special training in  
18 any branch of medicine? If yes, what is that training?

19 26. Are you, or any of your relatives or close friends, a lawyer, judge, or  
20 person who works in a courtroom or with lawyers or judges?

21 27. Have you ever filed a claim with a government agency? If your  
22 answer is yes, can you describe the claim? Can you set aside the facts that led to  
23 your claim and decide this case solely on the evidence presented and the law as  
24 given to you by the Court?

25 28. The defendants in this case are Lieutenant Jane Diaz, and Sergeant  
26 Giovanni Campos, who worked for GEO at the Adelanto detention facility. Do  
27 you feel that you cannot be fair to Lt. Diaz and Sgt. Campos because they were  
28 detention officers? If so, why not?

1           29. Another defendant in this case is The GEO Group, a private  
2 corporation. A corporation is entitled to be treated as a person under the law. Do  
3 you feel that you can be fair to The GEO Group, even though it is a corporation?

4           30. Have you, or any member of your family or close friends, ever been  
5 critical of an immigration detention facility for any reason? If your answer is yes,  
6 can you divorce yourself from that criticism and decide this case solely on the  
7 evidence presented and the law as given to you by the Court?

8           31. At any time in your life did you intend to enter into a career in law  
9 enforcement or corrections? If your answer is yes, state whether you actually  
10 entered into an academy or joined a law enforcement agency.

11           32. Do you, or any of your relatives or close friends, work for a  
12 government agency? What agency? What are your responsibilities? Do you come  
13 into contact with law enforcement personnel? If your answer is yes, can you  
14 divorce yourself from that experience and anything that you may have seen or heard  
15 and decide this case solely on the evidence presented and the law as given to you by  
16 the Court?

17           33. Coming into this case, is there anything about The GEO Group or its  
18 officers and employees, that you do not like which may affect your ability to fairly  
19 decide this case?

20           34. Will you be able to judge the actions of the individual defendants  
21 solely on the evidence presented at the trial and without regard to anything you may  
22 have heard about the The GEO Group or any detention facility?

23           35. You will hear that Lt. Diaz and Sgt. Campos worked in the ICE  
24 detention facility in Adelanto, which is in San Bernardino County. Have you read  
25 anything about this facility? Will you be able to set aside anything you heard about  
26 the facility in Adelanto, and not let it affect your judgment in this case?

27           36. Do you understand that Lt. Diaz and Sgt. Campos were not involved in  
28 any news stories about Adelanto or private detention facilities that you may have

1 seen on TV or read about in the paper, and it should not be held against them?

2 37. Is there anything you think this Court should know about the way any  
3 of the media coverage about detention facilities and private prisons has affected  
4 your opinion of them?

5 38. Do you believe that just because this lawsuit has come to trial, the  
6 plaintiff must have valid claims against the defendants? If your answer is yes,  
7 please tell us why.

8 39. If you receive an instruction regarding the law and you believe the law  
9 is unfair or you simply disagree with it, will you be able to put your personal  
10 feeling aside and apply the law to the evidence which has been presented to you?

11 40. Are there any of you who think that a plaintiff in a lawsuit is more  
12 likely or less likely to be truthful merely because he or she is bringing a lawsuit for  
13 money damages?

14 41. The court will instruct you that Plaintiffs in this case have the burden  
15 of proving each of his alleged claims. If Plaintiffs fails to prove each claim, after  
16 hearing all the evidence and law in this case, will you be willing to bring in a  
17 verdict in favor of Defendants?

18 42. Are there any of you who think that a defendant in a lawsuit is more  
19 likely or less likely to be truthful merely because he is being sued? Would your  
20 answer be any different if the defendant is a custody officer?

21 43. If you develop sympathy for one party in this lawsuit, would you be  
22 able to separate that sympathy from your duty to apply the law to the facts of the  
23 case?

24 44. It is important that I have your assurance that you will, without  
25 reservation, follow my instructions and rulings on the law that will apply to this  
26 case. To put it somewhat differently, whether you approve or disapprove of the  
27 Court's ruling or instructions, it is your solemn duty to accept as correct these  
28 statements of the law. You may not substitute your own idea of what you think the



1 law ought to be. Will all of you follow the law as given to you by me in this case?

2 45. Do any of you know any other reason, or has anything occurred to you  
3 during this question period, that might make you doubtful that you could be a  
4 completely fair and impartial juror in this case? If there is, it is your duty to  
5 disclose the reason now.

6  
7 Dated: January 16, 2020

BURKE, WILLIAMS & SORENSEN, LLP

8  
9 By: /s/ Carmen M. Aguado

10 Susan E. Coleman  
Carmen M. Aguado

11 Attorneys for Defendants  
12 THE GEO GROUP, INC.,  
CAMPOS, and DIAZ  
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